TECHNICAL ASSISTANCE COMPLETION REPORT

Division: Gender, Social Development and Civil Society Division (RSGS)

TA No., Country and Name: TA 6248-REG: Legal Empowerment for Women and Disadvantaged Groups			Original Amount: $550,000 Revised Amount: n.a.	
Executing Agency: Asian Development Bank (ADB)	Source of Funding: Poverty Reduction Cooperation Fund		Amount Undisbursed: $12,060	Amount Utilized: $537,940
TA Approval Date: 19 July 2005	TA Signing Date: 19 July 2005	Fielding of Consultant: 28 November 2005[1]	TA Completion Date: Original: 30 April 2007	Actual: 31 December 2007
			Account Closing Date: Original: 30 April 2007	Actual: 10 June, 2008

Description. Studies carried out by the ADB in the late 1990s indicated that women and other disadvantaged groups face a range of sociocultural and legal constraints to effective access to basic social services and productive resources[2]. In 2001, an ADB-funded seven-country study[3] examined the current and potential impact of addressing these constraints through legal empowerment (LE), defined as the use of legal services and related development activities to improve disadvantaged groups' exercise of their rights and control over their lives. Qualitative and quantitative research yielded preliminary evidence that LE contributes to poverty reduction and good governance. Building on the recommendations of the study and its call for further research, the technical assistance (TA) intended to more rigorously test and demonstrate effective modalities of legal services and integrated development activities for women and disadvantaged groups.

Expected Impact, Outcome and Outputs. The expected *impact* of the RETA was to promote increased incorporation of LE components within ADB loans. Its *outcome* was to: (i) identify and test effective LE strategies and methodologies to increase access to basic social services and productive resources by women and disadvantaged groups; and (ii) disseminate practical lessons learned for use by ADB staff, governments, NGOs, and funding agencies. The RETA was expected to produce four major outputs: (i) Country situation analysis reports; (ii) Review of ADB present and pipeline portfolio and its potential for incorporation of LE components; (iii) Good practices for integrating LE components into ADB operations, and (iv) Operating Manual for NGOs involved in LE initiatives.

Formulation, Delivery of Inputs and Conduct of Activities. The Asia Foundation was engaged by ADB to provide a total of 66 person-months of inputs (international consultants, 12 person-months, national consultants, 18 person-months, national legal services NGOs, 36 person-months). Inception mission was carried out in Bangkok with participation of key stakeholders (TA consultants; socio-legal consultants from Bangladesh, Indonesia and Pakistan) in February 2006. Mid-term review missions were carried out in Bangladesh, Indonesia and Pakistan in June 2007. Final consultations were carried out with the Asia Foundation at the end of the regional conference organized at TA completion at ADB/HQ (December 2007). The design of the pilot LE initiatives and selection of ADB loans[4] took longer than anticipated. The key stakeholders needed to be educated to deeply understand the nature and value of LE interventions and their intended benefit to the host projects. Thus, the RETA's extension from 30 April to 31 December 2007 and minor change in implementation arrangements to recruit additional consultants (international, 1.18 person-months) were made to ensure quality delivery of the end-of-project outputs, particularly outputs (iii) and (iv), and the national workshops and regional conference to disseminate the RETA findings and recommendations.

Working relations between the RETA team and stakeholders, particularly for the pilot LE program, were satisfactory. The legal service NGO partners that implemented the pilot LE initiatives generally received strong and timely support from the project officers of the selected ADB loans. The working relations with government counterparts varied from country to country and context to context. While most government counterparts were supportive, some were concerned that empowerment may relinquish certain benefits that they have been deriving as a result of their traditional role and relationship with disadvantaged populations. Nevertheless, the post-country situation analysis consultative workshops and regional conference were well attended, and many of those who joined from government, civil society, and academe kept in touch with the RETA team over the course of the project. Overall, ADB's performance and the consultants' performance –including the National Legal Services NGOs- were highly satisfactory.

Evaluation of Outputs and Achievement of Outcome. The RETA's design and monitoring framework was deemed effective. Two distinct features of the RETA related to output (iii)—allocation of resources and technical support for the pilot LE initiatives, and development of a specialized monitoring and evaluation (M&E) methodology that compared impact in pilot project areas and non-intervention control areas—were particularly recognized and

[1] Fielding of TA consultants was completed in November 2005 -or four months after TA approval/signing data- after receipt of participating Governments' concurrences, completion of the bidding process and a lengthy contract negotiation between COSO and the consulting firm (with a final agreement on a lump-sum contract with a payment schedule based on deliverables).

[2] ADB. 2002. *Sociolegal Status of Women in Indonesia, Malaysia, Philippines and Thailand*. Manila.

[3] ADB. 2001. *Report on Regional Technical Assistance on Legal Literacy for Supporting Governance-Legal Empowerment: Advancing Good Governance and Poverty Reduction, in Law and Policy Reform at ADB*. Manila.

[4] In partnership with local legal service NGOs and the host government agencies, The Asia Foundation piloted LE initiatives in Loans 2072/2073-Indonesia: *Neighborhood Upgrading and Shelter Sector Project*, Loans 2047/2048/2049-Pakistan: *Sindh Devolved Social Services Program*, and Loan 1831-Bangladesh: *Second Small-Scale Water Resources Development Sector Project*.

appreciated in each country. The RETA achieved its expected outcome of identifying and testing effective LE strategies and methodologies to increase access to basic social services and productive resources by women and disadvantaged groups. The related targets in the design and monitoring framework were all met, research and pilot LE initiatives implemented, effective modalities targeting women and disadvantaged groups identified and promising practices outlined in the TA Final Report. At the TA Regional Conference –organized in December 2007 at ADB/HQ- Government and NGO participants concurred on the critical importance of the pilot LE initiatives and the need for further scaling-up of the proposed approach in the finalization of LE initiatives. Although there was some delay in the design of the pilot LE initiatives and selection of the ADB loans (see Delivery of Inputs and Conduct of Activities), all expected outputs were delivered satisfactorily. The *Good Practices Guide for Incorporating Legal Empowerment Components into ADB Operations* (output [iii]), and *Operating Manual for NGOs Involved in Legal Empowerment Initiatives* (output [iv]) have been finalized and will be published/disseminated together with the TA Final Report. The consultant team is committed to continue to engage with ADB counterparts in developing additional summary documents for other ADB applications under other project financing. Generally, feedback on the RETA outcome and outputs from ADB staff, participating governments, other multi- and bilateral development agencies and NGOs was positive.

Overall Assessment and Rating. It is important to appreciate that LE is a long-term process whose best results are achieved over time, and that expectations for measurable impact of the RETA in the short term should be kept modest. Nevertheless, some striking results were in fact achieved and overall, the RETA was highly successful. It was able to reaffirm the value of LE to advance governance reform and poverty reduction, supported by more robust empirical evidence, and to achieve sectoral program goals, with distinct benefits to women and disadvantaged groups. The identified promising practices–documented in the TA Final Report, the review of ADB portfolio and its potential for incorporation of LE components, as exemplified by the incorporation of LE features in investment projects, within the BAN: Participatory Small Scale Water Resources Project III and PHI: Metro Manila Urban Services for the Poor (MMUSSP), planned for FY09, would help sustain interest and progress in achieving the RETA's expected impact of increased incorporation of LE components within ADB loans.

Key lessons. The following lessons learned under the RETA serve as models not only for future ADB support for LE activities but also for broader sectoral development initiatives by ADB and other development partners.

- There should be **sufficient resources for pilot LE initiatives, with a focus on M&E**. First, great care must be taken in selecting the project location. An ideal location would be one in which the ADB host project has been implemented for a period of three to five years –where local communities have benefited from social mobilization by local NGOs and/or community based organizations (CBOs)- and where the socio-cultural and political contexts are conducive to stakeholder dialogue and consultations on sensitive issues related to 'rights and entitlements' to resources and services. Ample time should also be allocated to design, implement, monitor, and assess the impact of pilot projects. Future pilots should be implemented in a variety of contexts so that broader comparisons may be drawn. Lastly, less emphasis should be placed on general situation analysis and more on pilot programs and the design and testing of specialized M&E methodologies to assess the impact of LE programs, the results of which may better convince project officers of the value of LE in advancing sectoral development goals that are constrained by rights and access to justice issues.
- In this regard, it is important to have **strong collaboration and buy-in among all stakeholders**. Considerable efforts were first made by the RETA team to make non-lawyers among ADB and government counterparts understand LE concepts and experience and their value to achieving sectoral development goals. Given some concerns, particularly of the government counterparts (see Delivery of Inputs and Conduct of Activities), the challenge lay in convincing public officials that, while their traditional power advantages may need to change or be reevaluated, there are other aspects from which their reputations stand to benefit if they support LE initiatives. LE practitioners thus need to work in a transparent manner, meeting regularly with stakeholders to share information and create a sense of ownership on the part of government counterparts and other agencies. A positive attitude on the part of public officials, in particular, will also encourage women and other disadvantaged groups to be more involved and thereby maximize their potential to benefit from a LE activity.
- It is essential that those who will be involved in future LE activities, particularly those integrating LE in sectoral development programs, **share information and learning.** They should report candidly on results, including challenges faced in implementation. This will ensure that others can benefit from individual efforts and that LE practitioners, government counterparts, legal and development scholars, and international agencies can collectively develop a knowledge base as LE activities expand in Asia and the Pacific and globally.

Recommendations and Follow-Up Actions. The RETA publications (outputs [iii] and [iv], see Evaluation of Outputs and Achievement of Outcome), will continue to be disseminated beyond the RETA countries. The TA Report formed the basis for follow-up initiatives which will be discussed together with some members of the Commission on Legal Empowerment of the Poor (2005-2008) during the Symposium on *Applied Research in Legal Empowerment of the Poor* which will be hosted by the University of Winnipeg Global College, in cooperation with the University of Ottawa Human Rights Research and Education Center and the Center for Social, Economic, Political and Anthropological Research, Pontifica Universidad Catolica del Peru in November 2008. RSGS will work with the RDs to ensure greater visibility of LE issues and concerns derived from the design and implementation of the TA in ADB's loans and TAs.

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